



Attendees: Mayor Flitton, Gordon Cutler, Greg Johnson, Jerry Smith, Michelle Roberts, Tim Petty, Lt. Talbot, Paul Poulsen, Keith Vanderhout, Julie & Jason MacArthur, Tony Catallo, Kathleen Wolfe, Mike Burke, Jim Morkin, Bonita Williams, Michael & Elizabeth Whittier, Josh Falslev, John M. Jordana, Barbara Sebut and Darinda Wardell.

MEETING MINUTES:

1. MEETING CALL TO ORDER: Mayor Flitton

PLEDGE OF ALLEGIANCE: Led by Tim Petty

CONFLICT OF INTEREST: Council members are required by law to file a public disclosure statement with the City Recorder listing business interests and investments that could create a conflict of interest with the duties of the Council Member. When a matter in which a Council member has a business or investment interest appears on the Council agenda, the Council member must publicly disclose that interest.

Mayor Flitton asked the Council if they had any conflicts of interest with tonight's agenda; there was none.

2. PUBLIC COMMENT (2 minutes per person): (00:00:49)

- Josh Faslev – Stated that he was here tonight to speak on behalf of his neighbors who would like to see the City take possession of the UDOT and DWR land at the end his neighborhood. The City should take over the land so that we can have a say on what happens with that property. If we take it over now, maybe in the next five to ten years we can develop a park on the land.
- Mike Burke – wanted to speak in reference to the Cottonwood Estates Mobile Home Park and the deteriorating appearance of the park. It states in the City ordinances that the park must be kept and maintained, he brought pictures to show how the park is deteriorating. The residents are between a rock and a hard place and are requesting that the City Council doesn't allow this deterioration to continue.
- John Jordana – stated that he lives at 1609 E 6850 S and would like to see us all work together as a team to acquire the UDOT property.
- Mike Whittier – My wife and I have a home in the Cottonwoods Mobile home village. We are new comers in that we purchased our home in March of 2015. After doing a number of upgrades to the home we moved in approximately one year ago. Our reason for moving into the Cottonwoods was the clean and well-kept appearance of the neighborhood and the ample amount of common area that was impressively maintained by a resident groundskeeper. In the last few months the owners of the cottonwoods no longer have any one who regularly cares for the open areas and in fact no longer even water the common areas resulting in yellow burned grass and in general have abandoned the village with exception of collecting rent. As a resident of the city of Uintah we feel that the city fathers need to be aware of the apparent downgrade of a substantial portion of our community. It would seem reasonable that when one makes a significant investment in a place to live that they can expect those receiving payment to continue to provide the amenities that were in place. I am not familiar with the Utah code but somehow believe that one party to an agreement cannot arbitrarily abdicate their responsibility. As taxpayers in the state of Utah, residents of Weber County and Uintah City we request that we be given help and consideration in this matter.
- Paul Poulsen – We are not here in opposition of Silverking's right to add more lots to Cottonwood Estates. We are here in an effort to improve the quality of life and Standard of Living that has declined significantly since the purchase of Cottonwood Estates by Silverking. We realize that many of these problems need to be addressed to Silverking, directly. We are in the process of forming a Residents' Association to handle these types of problems. However, in reviewing the City Ordinances, we have come to the conclusion that some of the problems we face can be addressed by you, the City Council. Therefore; we are requesting that prior to adding the 8 lots requested by Silverking to this City Council, that you enforce the following: We have safety concerns in regards to the driveways located on the river side of the property. Many of us have storm waters that accumulate and freeze during the winter; creating, if you will, an ice pond that we must walk on to access our vehicles. This problem is made worse by the way our streets are plowed; leaving large snow drifts in our driveways. *Article D. Residential Mobile/Manufactured Home Park, Section 9-7D-5: Development of Parks: Vehicle Travel Lanes: All roads and Driveways shall be adequately drained and lighted for safety and ease of movement of vehicles.
Minimum off Street Parking Requirements: Each parking space shall be so drained as to dispose of all surface water accumulated in the parking area into a catch basin approved by the city engineer. There have been signs posted within the park, forbidding on street parking. And more recently, 'No Parking

Anytime' signs posted, which we have been counseled is from the Fire Marshall to insure access for emergency vehicles that have no secondary access into or out of the park. *Article D. Residential Mobile/Manufactured Home Park, Section 9-7D-5: Development of Parks: C. Minimum Off Street Parking requirements: A separate parking area for the Recreational vehicles, boats, personal watercraft, etc. shall be provided at a ratio of one-space per three (3) mobile/manufactured home lots. This area shall be available to automobiles being repaired or maintained and not allowed the individual lots. Guest, Service and Delivery parking shall be provided throughout the park at convenient locations at a ratio of one space for every (4) lots. And last, but certainly not least, is regarding the deterioration of the parks appearance. Many of us have spent a great deal of money on our homes and our landscaping. The park was beautiful and people were expected to keep their homes in similar fashion. Now, the park is filled with weeds, areas that are not being mowed and watered, and tree stumps that have been unearthed and left. *Article D. Residential Mobile/Manufactured Home Park, Section 9-7D-5: Development of Parks: Green strip Enclosure of Park:

The ornamental wall and landscape materials shall be acceptable to the city engineer. The remaining areas shall be landscaped and maintained and a well-kept lawn or other materials acceptable to the planning commission. All landscaping shall be continually maintained in a healthy, growing, neat and orderly condition.

- Jim Morkin – It is the intention of the Tenants (and in process) that we create a "Mobile Home Park tenants Association" There are four (4) areas of major concern: First: Water issues ... using potable (drinking) water to irrigate large common areas: Historically irrigation water has been used for this purpose by agreement with a local "Ditch" company. Current owners are insisting that tenants irrigate those common areas with city water. The common areas are at least as large as (or larger than) all other "yard / lawn" areas in the facility. We have queried city and elected personnel and are told that increases in potable water usage will change the allocation of water volume city wide as well as suffer penalties in the form of water rate increases for all Uintah City water users. Historically, Common area irrigation has been performed by the Cottonwood Mobile Home Park owners as part of the rental agreement. New owners are demanding (verbally) that tenants take on the watering chores beyond their rental lot plus mow the entire area, a huge undertaking in some areas. The common areas have been designated as "storm water filter areas" since the 1980's by the Weber County Stormwater Director. They serve as a filter area for untreated runoff water prior to entering the Weber River as an adjunct to the regular lawn areas. As of this date Cottonwood has no onsite manager or maintenance crew. The common area lawns remain uncut (unless maintained by tenants), border hedges are out of control, and access visibility to 6600 South is restricted.
- Elizabeth Whittier – stated that they used their inheritance and retirement to buy a home in the mobile home park because it was so nice. They would like to see it made nice again. They have the river and the trees in their back yard and it now is a terrible mess. She is afraid that the trees are going to fall on their home because of lack of water and care. This is a great area and they have great neighbors something has to be done about the problem.

3. APPROVAL OF CITY COUNCIL MEETING MINUTES HELD June 21st, 2016: (00:14:08)

Presenter: Mayor Flitton

- Mayor Flitton asked if there were any questions on the minutes.
- Michelle Roberts motioned to approve the City Council meeting minutes from June 21st, 2016.
- Seconded by Jerry Smith
- All in favor; the motion passed.

4. PLANNING COMMISSION REPORT TO COUNCIL FROM May 24th, 2016 MEETING: (00:14:45)

Presenter: Tim Petty

- Tim Petty reported on the Planning Commission meeting held June 23rd, 2016.
- Discussion/Action on final plat application for Keith Vanderhout; Cottonwood Estates. Ernest Rowley with Landmark Surveying attended the meeting on Keith Vanderhout's behalf. It was concluded that the visitor parking issues had been resolved. There will now be signs posted restricting parking on one side of the street which will now become a fire truck lane, and overnight visitor parking will now be allowed on the other side of the street. Mr. Rowley asked for approval on the addition of 10 new lots. He said he had spoken with Mr. Vanderhout and they felt the requirements had been met to allow for approval. The Commission looked over plans of Cottonwood Estates and an online aerial map as well. The Commission explained to Mr. Rowley that they did not feel the requirements had been met to allow for all 10 new lots. They said the issue was with the 3:1 recreational parking requirement. They said in order to allow 10 new lots there would need to be 26-28 parking spots and the submitted plans only show 22 parking spots. Mr. Rowley said that the spots can be double stacked and it would exceed the required amount. The Commission said that double stacking does not meet the intent of the ordinance. Mr. Rowley asked if they would consider at least approving lots 1-8, which will currently meet the parking requirements. The Commission discussed how much green space would be left with the approval of lots 1-8, and decided

that lots 1-8 did meet all requirements. A motion to approve the final plat application for new lots 1-8, excluding 9 and 10, was approved.

- Discussion/Review of Conditional Use Permit for Joshua Chapman; The Chapman Shop located at 6796 S. 1800 E., Uintah. Joshua and Camille Chapman appeared before the Planning Commission. They explained that they hold a “build camp” each summer where they teach youth mechanical skills and assist them with building projects. The Planning Commission discussed many concerns they had, including some specifically pointed out to them by the Chapman’s neighbors. They went over what conditions may be appropriate for this type of CUP. The commission agreed on the following conditions:
 - 1 month review
 - Outside operating hours must be within the parameters of 7:30am – 9:00pm
 - A student orientation is required in which students must be informed of the location of provided restrooms
 - No on street parking will be allowed
 - The number of students per camp will be restricted to a maximum of 15 students, with the ratio of 5 kids:1 adult
 - A food handler’s permit will be maintained
 - No camp activities will take place in the street
 - Storage areas will be kept off-limits to students
 - Clutter will be cleaned up, in compliance with the orders of the Fire Marshall
 - All students are required to stay on-site at applicant’s property while attending the camp
 - A motion to approve CUP #2016-0199 with listed conditions made by Rober Guillier, 2nd Scott Dixon. All commissioners were in favor.
- Discussion/Action on Uintah City Ordinance 5-2-C1; An ordinance regarding animal licensing and regulations. Planning Commission tabled this item, to be added to future agenda.
- Discussion/Action on Site Plan Amendment for Dixon Pitcher located at 6658 S. Highway 89.
- Dixon Pitcher appeared before the Planning Commission. He showed the Commission drawings of his plans. He explained that he intended to move the storage sheds on the property to another location on the site, and build 10 retail shops on the existing foundation where the storage sheds had previously been. The Commission studied the plans with Dixon and discussed at length the following: specific location of the future buildings, parking locations, parking stall layout, business’s dedicated parking, possible parking issues, road lines/markings, septic systems, location of the drain field, soil quality at new storage shed location, and semi-truck access. The Commission decided that at this time they did not have enough information to approve this Site Plan. They said the drawing he brought in is too preliminary and doesn’t meet most of the Site Plan requirements. The Commission is requiring Mr. Pitcher to provide them with an actual completed Site Plan prepared by a civil engineer. The Commission told him that all the things they need to see on that official Site Plan are listed in the ordinance. They told Mr. Pitcher that they would only be able to allow him to pursue the building permit, without the approval of the Site Plan. A motion to approve Preliminary Layout for 6658 S. Highway 89, with a civil engineered Site Plan to follow for review was approved. All commissioners were in favor.
- Discussion/Action on Preliminary Plat Application for a flag lot for Doug Crofts; Teena Crofts Trust located at approximately 6778 S. 2125 E., Uintah. Doug Crofts was unable to attend the meeting. Doug sent an e-mail saying that he is waiting on updates to be made to the plat, and he requested that this item be rescheduled to a future meeting. Planning Commission tabled this item, to be added to future agenda.
- Greg Johnson stated that he appreciated the great job the Planning Commission did with the Chapmans; he read the letters from the neighbors and he felt that their concerns were addressed with the conditions that the commission placed on the Chapmans.
- Jerry Smith asked if the Chapmans had to have a handicapped restroom available for their camps. Tim stated that they used the same requirements as for a daycare. Jerry asked that Tim check on that for him.
- Mayor Flitton commended Tim on his ability to comprehend the ordinances and help the Planning Commission do the great job that they do.

5. DISCUSSION/APPROVAL ON FINAL CONSTRUCTION DRAWINGS FOR EIGHT NEW LEASE LOTS FOR COTTONWOOD ESTATES; OWNER – KEITH VANDERHOUT; LOCATED AT 675 E 6600 S IN UINTAH, UTAH: (00:27:16)

Presenter: Tim Petty

- Greg Johnson stated that he had a couple of concerns; first the parking issue; we are taking away places to park and that is having a negative impact on the neighbors and second the 8% required park/recreation area. They have the space they just don’t have access to the space. And with the park not being maintained the space is not suitable for recreation and he sympathizes for the kids.
- Tim Petty stated that they did not talk about the access, the Planning Commission made sure that they had the required space, just did not address the access to the park areas.

- Mayor Flitton stated that he understands that the business wants to grow and as a Council we have to meet the requirements and letter of the ordinance for both the business and the residence not the spirit of the law.
- Greg Johnson stated that he agrees, although you also have to consider the spirit of the law.
- Mayor Flitton stated that he had to go to court for his company to prove that they had met their contract requirements and the Judge asked how the contract was written and the attorney stated that was not the feeling of how it was written; the Judge stopped them right there stating that they had to go off how it was written and not the spirit.
- Tim Petty stated that they denied lots 9 and 10 to allow more access to where Weber Pathways wants to be and for the turn around.
- Michelle Roberts stated that she drove down to the park and there is no way to access what they say is the recreation area. She understands both sides and would like to see a compromise. The park isn't being taken care of like it used to be and if it continues to deteriorate it will be out of compliance of the nuisance ordinance.
- Mayor Flitton stated that a home owners association or HOA would hold the business accountable and the citizens would have a louder voice as to how the ordinance is read.
- Gordon Cutler stated that is not something that the Planning Commission or City Council can address.
- Mayor Flitton stated that we are here tonight to discuss the development of eight lots not the maintenance of the park.
- Tim Petty stated that the Council has brought up a valid point about the access to the recreation areas; maybe developing five lots and three lots as opposed to the six and two would make more room for access. We can bring this back to the Planning Commission to discuss with the owner.
- Jerry Smith stated that the common area served a dual purpose for recreation and as a storm water retention area. Tim Petty stated that the developer has a drainage design that both our engineers and State engineers have approved.
- Gordon Cutler stated that he has a couple of concerns about on site management; the City can't get involved with that. The Cottonwood Park rules are not the City rules and we can't enforce them.
- Michelle Roberts commented that being over nuisances she can send our nuisance officer over to take a look at things if they continue to deteriorate and if we receive any complaints.
- The Council discussed that if the Cottonwood Mobile Home Park has met all the rules and requirements of the Planning Commission for the development of these lots, then do we as a City Council want to deny them and set ourselves up for the cost of litigation. Having just gone through the budget process do we really want to go this route?
- Tim Petty stated that the Planning Commission can go back to work with them to see about working on the access. We can have a work session to try to expedite this for their sake.
- Greg Johnson made a motion to send the construction drawings for eight new lease lots for Cottonwood Estates Mobile Home Park back to the Planning Commission to work with the owners to determine where they want their eight lots to be so that they have access to the designated recreation areas.
- Michelle Roberts seconded the motion.
- All in favor; the motion passed.

6. COUNCIL COMMENTS: (01:00:00)

- Mayor Flitton addressed the UDOT land comments by stating that Pam Krammer with the Department of Wildlife Resources (DWR) is still trying to work her magic to get the land deeded to the City. Gordon Cutler stated that the Council has had some discussions about selling a lot from the property to get funds to develop the rest and we were told we can't do this if the land is given to the City. Mayor Flitton stated that later on we might be able to petition to sell some of the land.
- Mayor Flitton stated that in regards to the comments on the Cottonwood Mobile Home Park; we have already had a lengthy discussion on the subject. Michelle Roberts reiterated that if there is a nuisance violation; we are complaint driven.

7. CITY COUNCIL DEPARTMENT REPORTS: (01:04:10)

PARKS & RECREATION; BUILDINGS; ROADS – GORDON CUTLER

- Gordon stated that the overlay on Combe Road will be done this month; we will have to coordinate with UDOT.
- We have been billed for the uniforms from South Ogden and he reported that our kids had a great time participating with that program.
- Gordon reported that he and the Mayor attended the South Weber work session and Council meeting to discuss our concerns with their road west of our bridge and to see if they have it on their schedule to be repaired. We feel that it was a productive meeting.

WATER; GARBAGE; EMERGENCY PREPAREDNESS; PLANNING COMMISSION – GREG JOHNSON

- Greg stated that we are successfully working through some of our billing issues that have been a concern.
- Our contact with Waste Management will be at our next City council meeting to report to the Council about waste and recycling matters.
- Greg stated that the Planning Commission does a great job and he appreciates their hard work.

ANIMAL CONTROL; CTC; NUISANCES; WEBER COUNTY TRAILS – MICHELLE ROBERTS

- Michelle stated that she did participate with some CTC training and explained the parents empowered campaign.
- The next Pathways meeting will be July 20th and she can attend.

CEMETERY; EAGLE PROJECTS; U-DAY; RAILROAD RELATIONS – JERRY SMITH

- Jerry stated that he has talked to Allen at the nursery about the memorial trees for the cemetery and he has deferred me to his partners.
- Jerry received a complaint about the vegetation along the upper track by Kofoed's and he is working with the railroad to take care of the issue.
- U-Day was a success and they had their wrap up meeting last week.
- There is no Eagle Scout projects to discuss other than we have the Scout who plans to paint the arch this summer.

STORM WATER & FLOODPLAIN; GRANTS; FIRE DEPARTMENT– MAYOR FLITTON

- Mayor Flitton reported that the Friends of the Fire Department got the funds from the State for the station. And it looks like we are going to have to address the grade of the road and the tie in to the station.
- We might have to help with grants to get a tent for U-Days.

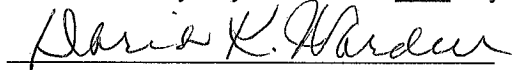
8. MEETING ADJOURNMENT: (001:18:08)

Michelle Roberts motioned to adjourn the meeting.

Seconded by Greg Johnson

All in favor; the motion passed. The meeting was adjourned.

APPROVED by City Council this 19th day of July, 2016.



DARINDA K. WARDELL, City Recorder